

REMARKS

The objections to Claims 5 and 9 have been addressed.

The rejection of Claims 1-9 as being anticipated by Meisenburg et al., under 35 U.S.C. § 102(b) is traversed, and reconsideration is respectfully requested.

Amended Claims 1 and 9 and new Claim 12 now clearly define an apparatus or system in which a gear-shift transmission unit is involved. No such unit is present in the Meisenburg et al., drive. And the absence of such a unit is one of the critical differences between the present invention and that prior art.

The present invention is directed to the absorption or equalization of rotational vibrations of a motor vehicle internal combustion engine in which gear shift engagement produced by the clutch's closing between the engine and gear shift transmission produce clashes or shocks. More specifically, the present invention provides a way to absorb these unwanted shocks in an uncommon engine/transmission arrangement where the input shaft receiving torque from the engine crankshaft is arranged transverse to the gear shift transmission output shaft.

The illustrated Meisenburg et al., marine drive has nothing whatsoever to do with a gear shift transmission unit or an input shaft positioned between that

unit and an engine crankshaft via a clutch or an impact shaft arranged transverse to the unit's drive shaft. Thus, it is no surprise that the Meisenburg et al., patent says nothing about gear shift shock. Instead, that patent's focus is on a marine drive retaining structure for holding the propeller-bearing-supporting spool in a way that prevents loosening of the spool of the counter-rotating propellers and that minimizes shaft wobble.

The Office Action further asserts that the Meisenburg et al., marine drive has shafts that inherently have a lower torsional spring constant than the rest of the shaft. The basis for this inherency assertion is not articulated. Given what has been said above about the nature of that prior art marine drive and its difference from the present invention, the silence about the factual basis for asserting inherency causes that assertion to fail. The Office Action advances no reasoning or support for concluding that one of ordinary skill in the art would find or agree that the lower torsional spring aspect of the present invention is implicit in the Meisenburg et al., marine drive. MPEP § 2144.01 requires an inference or inherency assertion to be reasonably based. The Office Action has not established that the lower torsional spring feature is necessarily present in the patent's disclosure.

Nor has the Office Action established the presence of the claimed constriction based upon Fig. 3 of the Meissenburg et al., patent. Whereas in the present invention, these constrictions are chosen to avoid peak tensions on the

transmission components, i.e., components absent in Meissenberg et al.'s marine drive. With such constrictions, Applicants have found a way to provide relatively easy-twisting torsion bars in the adjacent portions of the input and drive shafts.

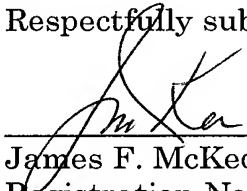
Accordingly, early and favorable action is now earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #028987.52980US).

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Respectfully submitted,



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